

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

FEDERAL TRADE COMMISSION,
Plaintiff,

vs.

MATCH GROUP, INC., a corporation, and
MATCH GROUP, LLC, formerly known as
MATCH.COM, LLC, a limited liability
company,

Defendants.

Case No. 3:19-cv-02281-K

DEFENDANTS' UNOPPOSED MOTION TO SEAL

Pursuant to the Court's September 18, 2023 and September 21, 2023 Orders, Dkt. 216 and 217, Defendants Match Group, Inc. and Match Group, LLC (the "Defendants") submit this motion to seal and redact very limited portions of the documents attached to the parties' summary judgment and *Daubert* briefing. Plaintiff the Federal Trade Commission does not oppose this Motion.

LEGAL STANDARD

"[A] court may order that a filing be made under seal without redaction." Fed. R. Civ. P. 5.2. While the public has a right to inspect judicial records, this right is not absolute. *SEC v. Van Waeyenberghe*, 990 F.2d 845, 848 (5th Cir. 1993). "In exercising its discretion to seal judicial records, [a] court must balance the public's right of access against the interests favoring nondisclosure." *Id.*

ARGUMENT

Defendants have compiled a narrowly tailored list of materials attached to the parties' summary judgment and *Daubert* briefing to be redacted or sealed in their entirety. The

information to be redacted or sealed can be grouped into the following categories: (1) personally identifiable information; (2) customer care information detailing how a customer could receive a refund; (3) detailed Match.com business metrics; (4) Match.com financial information; (5) Match.com file path addresses; and (6) corporate organizational information. The rationale for redacting or sealing each type of information is outlined below. Pursuant to the Court's Order, Dkt. 216, Defendants have also included a sealed attachment as an Exhibit, providing (1) the information sought to be redacted or sealed, (2) the type of information sought to be redacted or sealed, and (3) the legal basis for redacting such information. In compliance with the Court's Order at Dkt. 216, Defendants are also filing herewith sealed, unredacted versions of each of the documents sought to be redacted or sealed. The public's right of access to the sealed or redacted types of information is outweighed by the interests favoring nondisclosure for the following reasons.

A. Personally Identifiable Information of Match.com Customers

The parties' summary judgment and *Daubert* briefings contain sensitive personal information of Match.com's customers, who are not parties this action. This information includes customers' names, email addresses, home addresses, phone numbers, user ID numbers, credit card information, and profile photos. Given the nature of Match.com's business as a dating website, the public filing of customer names, photos, and other personal information could be damaging to those users' personal lives, including their current relationships. Additionally, as stated in Match.com's Privacy Policy, user privacy is a top priority of Match.com. Saraph Decl. ¶ 6. Thus, Match.com's customers' right to privacy outweighs the right of public access to this personally identifiable information. *See Martinez v. Tex. Dep't of Criminal Justice*, No. 3:21-cv-00258, 2022 WL 2834294, at *1 (S.D. Tex. July 20, 2022) ("[D]istrict courts across the nation

routinely permit the sealing of personal identifying information[.]”). Portions of the following pages need to be redacted because they contain personally identifiable information:¹

- Dkt. 199-2, ECF p. 30, 52, 58, 101, 103, 105, 113, 115, 118, 121, 123, 125, 129, 141, 142, 143, 147, 149, 151, 153, 155, 157, 163, 165, 167, 169, 171, 175, 179, 181, 228, 236, 253, 254, 278, 279
 - Plaintiff’s Appendix ISO MSJ, App. 0021, 0043, 0049, 0092, 0094, 0096, 0104, 0106, 0109, 0112, 0114, 0116, 0120, 0132, 0133, 0134, 0138, 0140, 0142, 0144, 0146, 0148, 0154, 0156, 0158, 0160, 0162, 0166, 0170, 0172, 0219, 0227, 0244, 0245, 0269, 0270
- Dkt. 199-3, ECF p. 10, 34, 36, 39, 41, 47, 55, 57, 60, 62, 64, 66, 70, 82, 83, 84, 88, 90, 92, 94, 96, 98, 104, 105, 106, 108, 111, 114, 116, 120, 122, 126, 190, 254, 255, 256, 257, 261, 263, 263, 264, 265, 267, 269, 270
 - Plaintiff’s Appendix ISO MSJ, App. 0312, 0336, 0338, 0341, 0343, 0349, 0357, 0359, 0362, 0364, 0366, 0368, 0372, 0384, 0385, 0386, 0390, 0392, 0394, 0396, 0398, 0400, 0406, 0407, 0408, 0410, 0413, 0416, 0418, 0423, 0425, 0428, 0492, 0556, 0557, 0558, 0559, 0563, 0564, 0565, 0566, 0567, 0569, 0571, 0572,
- Dkt. 199-4, ECF p. 80, 86, 335, 351, 404, 406, 407
 - Plaintiff’s Appendix ISO MSJ APP-0724, 0730, 1048, 1050, 1051
- Dkt. 199-5, ECF p. 3, 7, 31, 52, 54, 55, 101, 117, 119, 120, 213, 216, 219, 220, 221, 222, 224, 227, 228, 229, 231, 234, 235
 - Plaintiff’s Appendix ISO MSJ APP-1069, 1073, 1073, 1097, 1118, 1120, 1121, 1167, 1183, 1185, 1186, 1279, 1282, 1282, 1285, 1286, 1287, 1288, 1290, 1293, 1294, 1295, 1297, 1300, 1301
- Dkt. 199-6, ECF p. 2, 3, 4, 6, 7, 8, 9, 10, 11, 46, 48, 50, 59, 61, 63, 134, 225, 226, 230, 232, 306, 322, 323, 328, 329, 357, 397, 398, 400, 405, 406, 407, 411
 - Plaintiff’s Appendix ISO MSJ APP-1331, 1332, 1333, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1375, 1377, 1379, 1388, 1390, 1392, 1463, 1554, 1555, 1559, 1561, 1619, 1644, 1660, 1661, 1666, 1667, 1695, 1735, 1736, 1738, 1743, 1744, 1745, 1749

¹ For ease of reference, Defendants have provided both the Dkt. number and ECF page number for the proposed redactions (in the main bullet point), as well as the corresponding appendix citations (in the sub-bullet points).

- Dkt. 199-7, ECF p. 28, 40, 42, 44, 53, 55, 57, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 75, 76, 252, 447, 449, 457, 469, 470, 471
 - Plaintiff's Appendix ISO MSJ APP-1785, 1797, 1799, 1801, 1810, 1812, 1814, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1832, 1833, 2065, 2260, 2262, 2270, 2282, 2283, 2284
- Dkt. 199-8, ECF p. 9, 11, 18, 102, 127, 130, 132, 142, 144
 - Plaintiff's Appendix ISO MSJ APP-2297, 2299, 2306, 2415, 2418, 2420, 2430, 2432
- Dkt. 199-9, ECF p. 654, 655
 - Plaintiff's Appendix ISO MSJ APP-3231, 3232
- Dkt. 205-6, ECF p. 41, 42, 43, 44, 45, 46, 47
 - Plaintiff's Appendix ISO Motion to Exclude Expert Brandon Ward APP-000273, 000274, 000275, 000276, 000277, 000278, 000279,
- Dkt. 207-5, p. ECF 3, 6
 - Defendants' Appendix ISO MSJ APP- 235, 238
- Dkt. 207-10, ECF p. 40, 45
 - Defendants' Appendix ISO MSJ APP- 419, 424
- Dkt. 231-2, ECF p. 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 63, 64, 65, 66, 67, 68, 69, 70, 74, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215
 - Plaintiff's Appendix ISO its Opposition to Defendants' MSJ APP-4708, 4710, 4711, 4712, 4713, 4714, 4715, 4716, 4717, 4759, 4760, 4761, 4762, 4763, 4764, 4765, 4766, 4770, 4899, 4900, 4901, 4902, 4903, 4904, 4905, 4906, 4907, 4908
- Dkt. 240-8, ECF p. 3, 6
 - Sealed Exhibits in Support of Defendants' Response Brief in Opposition to the FTC's Motion for Summary Judgment APP-453, 456
- Dkt. 240-13, ECF p. 2
 - Sealed Exhibits in Support of Defendants' Response Brief in Opposition to the FTC's Motion for Summary Judgment APP-559

- Dkt. 240-14, ECF p. 2
 - Sealed Exhibits in Support of Defendants' Response Brief in Opposition to the FTC's Motion for Summary Judgment APP-564
- Dkt. 251-6, ECF p. 3, 6
 - Sealed Documents in Support of Defendants' Reply APP-1495, 1498
- Dkt. 251-11, ECF p. 2
 - Sealed Documents in Support of Defendants' Reply APP-1600
- Dkt. 251-12, ECF p. 2
 - Sealed Documents in Support of Defendants' Reply APP-1606

B. Customer Care Information Detailing How a Customer Could Receive a Refund

Defendants also seek to redact information in customer care manuals regarding Match.com's refund procedures. Courts routinely protect internal company manuals that contain competitively sensitive information. *See Dickey's Barbeque Pit, Inc. v. Neighbors*, No. 4:14-cv-484, 2015 WL 13466613, at *5 (E.D. Tex. June 5, 2015) (granting a motion to seal operational training information); *Chavez v. Standard Ins. Co.*, No. 3:18-CV-2013-N, 2020 WL 6382611, at *2 (N.D. Tex. Oct. 30, 2020) (granting a motion to seal insurer's claim-handling guidelines). Match.com's internal customer care manuals regarding refund procedures are not available to the public. *See* Saraph Decl. ¶ 16. Match.com devoted substantial time and resources creating its refund policies, and public disclosure of such materials would put Match.com at a competitive disadvantage. *See* Saraph Decl. ¶ 18. Not only could competitors replicate Match.com's refund policy, but customers could use it as a roadmap to game the system and receive a refund that they otherwise would not be entitled to. Saraph Decl. ¶ 12. Portions of the following pages need to be redacted because they contain customer care information regarding when a customer may receive a refund:

- Dkt. 199-3, ECF p. 158
 - Plaintiff's Appendix ISO MSJ APP-0460
- Dkt. 199-4, ECF p. 11, 12, 18, 32, 33, 51, 53, 54, 83, 84, 94, 106, 371, 384, 397
 - Plaintiff's Appendix ISO MSJ APP-0655, 0566, 0662, 0376, 0377, 0695, 0697, 0698, 0727, 0738, 0750, 0979, 1015, 1028, 1041
- Dkt. 199-5, ECF p. 43, 45, 73, 74, 75, 82, 83, 97, 110
 - Plaintiff's Appendix ISO MSJ APP-1109, 1111, 1139, 1140, 1141, 1148, 1149, 1150, 1165, 1176
- Dkt. 199-6, ECF p. 292, 293, 294, 295, 296
 - Plaintiff's Appendix ISO MSJ APP-1463, 1631, 1632, 1633, 1634, 1635
- Dkt. 199-7, ECF p. 6, 78
 - Plaintiff's Appendix ISO MSJ APP-1763, 1835
- Dkt. 199-9, ECF p. 757
 - Plaintiff's Appendix ISO MSJ APP-3334
- Dkt. 207-4, ECF p. 2, 3, 4, 5
 - Defendants' Appendix ISO MSJ APP- 223, 224, 225, 226,
- Dkt. 240-7, ECF p. 2, 3, 4, 5
 - Sealed Exhibits in Support of Defendants' Response Brief in Opposition to the FTC's Motion for Summary Judgment APP-444, 445, 446, 447
- Dkt. 251-5, ECF p. 2, 3, 4, 5
 - Sealed Documents in Support of Defendants' Reply APP-1486, 1487, 1488, 1489

C. Detailed Match.com Business Metrics

Multiple filings also contain Match.com's confidential business information, such as business metrics, customer demographic information, internal data and analysis, and results of A/B testing, which should be protected from disclosure. "[S]ealing may be appropriate where orders incorporate confidential business information." *N. Cypress Med. Ctr. Operating Co. v.*

Cigna Healthcare, 781 F.3d 182, 204 (5th Cir. 2015). Defendants have spent considerable time and money creating such data and maintaining its confidentiality. *See* Saraph Decl. ¶17. A competitor could use this data to its own advantage and the disadvantage of Defendants. *See* Saraph Decl. ¶ 18. Thus, public disclosure of Match.com's business metrics would put Defendants at a competitive disadvantage.

Portions of the following pages need to be redacted because they contain confidential business information:

- Dkt. 199-2, ECF p. 24
 - Plaintiff's Appendix ISO MSJ APP-0015
- Dkt. 199-4, ECF p. 100, 101, 103, 106, 262, 264, 265, 267, 268, 269, 270, 271, 275, 276, 331, 332, 337, 338, 339, 345, 346, 347, 348, 355, 356, 357, 358
 - Plaintiff's Appendix ISO MSJ APP-0744, 0745, 0747, 0750, 0906, 0908, 0909, 0911, 0912, 0913, 0914, 0915, 0919, 0920, 0976, 0981, 0982, 0983, 0989, 0990, 0991, 0992, 0999, 1000, 1001, 1002
- Dkt. 199-5, ECF p. 255, 256, 258, 259, 260, 262, 263
 - Plaintiff's Appendix ISO MSJ APP-1321, 1322, 1324, 1325, 1326, 1328, 1329
- Dkt. 199-6, ECF p. 43, 79, 80, 138
 - Plaintiff's Appendix ISO MSJ APP-1372, 1408, 1409, 1467
- Dkt. 199-7, ECF p. 32, 219, 367, 368, 371
 - Plaintiff's Appendix ISO MSJ APP-1789, 2032, 2180, 2181, 2184
- Dkt. 199-8, ECF p. 92, 244, 255
 - Plaintiff's Appendix ISO MSJ APP-2380, 2532, 2543
- Dkt. 199-9, ECF p. 9, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 754, 755, 849, 850, 851, 852, 857, 859, 862, 863, 864, 866, 872, 873, 888, 889, 892, 893, 894, 897, 902, 903, 904, 905, 909, 910, 917, 918, 920, 921
 - Plaintiff's Appendix ISO MSJ APP-2586, 2614, 2615, 2616, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633,

2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 3331, 3332, 3426, 3427, 3428, 3429, 3434, 3436, 3439, 3440, 3441, 3443, 3449, 3450, 3465, 3466, 3469, 3470, 3471, 3474, 3479, 3480, 3481, 3482, 3486, 3487, 3494, 3495, 3497, 3498

- Dkt. 201-3, ECF p. 33, 34, 40, 42, 43, 44, 45, 46, 47, 48, 49
 - Plaintiff's Appendix ISO Motion in Limine, and Brief in Support, to Exclude Expert Testimony of James Langenfeld APP-13, 34, 40, 42, 43, 44, 45, 46, 47, 48, 49
- Dkt. 205-6, ECF p. 72
 - Plaintiff's Appendix ISO Motion to Exclude Expert Brandon Ward APP-000302
- Dkt. 207-6, ECF p. 2, 3
 - Defendants' Appendix ISO MSJ APP- 317, 318
- Dkt. 207-7, ECF p. 3, 4, 7, 10
 - Defendants' Appendix ISO MSJ APP- 322, 323, 326, 239
- Dkt. 207-10, ECF p. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
 - Defendants' Appendix ISO MSJ APP- 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415
- Dkt. 207-11, ECF p. 31, 32, 38, 40, 42, 43, 44, 45, 46, 47
 - Defendants' Appendix ISO MSJ APP- 1080, 1081, 1087, 1089, 1091, 1092, 1093, 1094, 1095, 1096
- Dkt. 221-1, ECF p. 4, 5, 6, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 32, 34
 - Defendants' Response to Plaintiff's Motion in Limine to Exclude Proposed Expert Testimony of Brandon Ward APP-0281, 0282, 0285, 0286, 0287, 0288, 0290, 0291, 0292, 0293, 0294, 0295, 0296, 0297, 0298, 0299, 0301, 0302, 0303, 0304, 0305, 0306, 0308, 0310,
- Dkt. 230-3, ECF p. 10
 - Plaintiff's Appendix ISO its Reply to Defendants' Response to Pltfs Motion in Limine APP-10

- Dkt. 231-2, ECF p. 30, 31, 32, 88, 93, 94, 95, 96
 - Plaintiff's Appendix ISO its Opposition to Defendants' MSJ APP-4726, 4727, 4728, 4784, 4789, 4790, 4791, 4792
- Dkt. 235-3, ECF p. 21
 - Plaintiff's Appendix to its Reply to Defendants' Response to Plaintiff's Motion to Exclude Testimony of B. Ward APP-19
- Dkt. 240-9, ECF p. 2, 3
 - Sealed Exhibits in Support of Defendants' Response Brief in Opposition to the FTC's Motion for Summary Judgment APP-477, 478
- Dkt. 240-10, ECF p. 3, 4, 5, 6
 - Sealed Exhibits in Support of Defendants' Response Brief in Opposition to the FTC's Motion for Summary Judgment APP-482, 483, 484, 485
- Dkt. 240-15, ECF p. 6, 31, 32, 38, 40, 41, 42, 43, 44, 45, 46, 47
 - Sealed Exhibits in Support of Defendants' Response Brief in Opposition to the FTC's Motion for Summary Judgment APP-1063, 1064, 1070, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079
- Dkt. 246-2, ECF p. 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 62, 99, 100, 101, 102, 104, 105, 106
 - Appendix to Plaintiff's Reply Brief ISO its MSJ APP-4915, 4916, 4917, 4918, 4919, 4920, 4921, 4922, 4923, 4924, 4925, 4926, 4927, 4928, 4929, 4930, 4931, 4932, 4933, 4934, 4935, 4936, 4937, 4938, 4939, 4940, 4941, 4942, 4943, 4944, 4945, 4946, 4947, 4948, 4949, 4950, 4951, 4952, 4967, 5004, 5005, 5006, 5007, 5009, 5010, 5011
- Dkt. 251-7, ECF p. 2, 3
 - Sealed Documents in Support of Defendants' Reply APP-1519, 1520
- Dkt. 251-8, ECF p. 3, 4, 5, 6
 - Sealed Documents in Support of Defendants' Reply APP-1524, 1525, 1526, 1527
- Dkt. 251-9, ECF p. 3, 4, 5
 - Sealed Documents in Support of Defendants' Reply APP-1556, 1557, 1558

- Dkt. 251-13, ECF p. 31, 32, 38, 40, 41, 42, 43, 44, 45, 46, 47
 - Sealed Documents in Support of Defendants' Reply APP-1801, 1802, 1808, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817

The following documents are comprised entirely of Match.com's confidential business metrics and thus should be sealed:

- Dkt. 221
 - Defendants' Response to Plaintiff's Motion in Limine to Exclude Proposed Expert Testimony of Brandon Ward APP-275
- Dkt. 240-11
 - Sealed Exhibits in Support of Defendants' Response Brief in Opposition to the FTC's Motion for Summary Judgment APP-512-519
- Dkt. 240-12
 - Sealed Exhibits in Support of Defendants' Response Brief in Opposition to the FTC's Motion for Summary Judgment APP-520-557
- Dkt. 251-10
 - Sealed Documents in Support of Defendants' Reply APP-1562-1599

D. Financial Information

Match.com's financial and revenue information should also be redacted. Match.com has invested significant time and resources in developing pricing and other finance-related strategies. Saraph Decl. ¶ 24. Match.com keeps such information confidential. Saraph Decl. ¶ 23. Match.com would be harmed by the disclosure of such financial and revenue data as it would reveal non-public financial information to competitors. *See Erfindergemeinschaft Uropep GbR v. Eli Lilly & Co.*, No. 2:15-CV-1202-WCB, 2017 WL 434207, at *2 (E.D. Tex. Feb. 1, 2017) (finding financial information is entitled to protection from disclosure); *Dickey's Barbeque*, 2015 WL 13466613, at *6 (holding financial information could be redacted because a competitor could use the information to estimate yearly income).

Portions of the following pages need to be redacted because they contain Match.com's financial information:

- Dkt. 199-3, ECF p. 158, 166
 - Plaintiff's Appendix ISO MSJ APP-0460, 0468
- Dkt. 199-4, ECF p. 107, 343, 349, 353, 354
 - Plaintiff's Appendix ISO MSJ APP-0751, 0987, 0993, 0997, 0998
- Dkt. 199-6, ECF p. 224, 225, 280, 281, 283, 286, 287, 288, 289, 290, 299, 338
 - Plaintiff's Appendix ISO MSJ APP-1553, 1554, 1620, 1622, 1625, 1626, 1627, 1628, 1629, 1637.1, 1676
- Dkt. 199-7, ECF p. 110, 202
 - Plaintiff's Appendix ISO MSJ APP-1923, 2015
- Dkt. 199-8, ECF p. 83, 84, 85, 86, 87, 88, 89, 90, 242, 243
 - Plaintiff's Appendix ISO MSJ APP-2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2530, 2531
- Dkt. 201-3, ECF p. 13, 14, 54, 55, 114, 115
 - Plaintiff's Appendix ISO Motion in Limine, and Brief in Support, to Exclude Expert Testimony of James Langenfeld APP-54, 55, 114, 115
- Dkt. 207-8, ECF p. 2, 3
 - Defendants' Appendix ISO MSJ APP-334, 335
- Dkt. 207-9, ECF p. 3, 4
 - Defendants' Appendix ISO MSJ APP- 338, 339
- Dkt. 207-11, ECF p. 11, 12, 52, 53
 - Defendants' Appendix ISO MSJ APP- 1060, 1061, 1101, 1102,

- Dkt. 240-3, ECF p. 2, 3
 - Sealed Exhibits in Support of Defendants' Response Brief in Opposition to the FTC's Motion for Summary Judgment APP-417, 418
- Dkt. 240-5, ECF p. 2, 3
 - Sealed Exhibits in Support of Defendants' Response Brief in Opposition to the FTC's Motion for Summary Judgment APP-433, 434
- Dkt. 240-6, ECF p. 3, 4
 - Sealed Exhibits in Support of Defendants' Response Brief in Opposition to the FTC's Motion for Summary Judgment APP-437, 438
- Dkt. 240-15, ECF p. 11, 12, 52, 53
 - Sealed Exhibits in Support of Defendants' Response Brief in Opposition to the FTC's Motion for Summary Judgment APP-1043, 1044, 1084, 1085
- Dkt. 246-2, ECF p. 71, 72, 73, 74
 - Appendix to Plaintiff's Reply Brief ISO its MSJ APP-4976, 4977, 4979
- Dkt. 251-1, ECF p. 2, 3
 - Sealed Documents in Support of Defendants' Reply APP-1459, 1460
- Dkt. 251-3, ECF p. 2, 3
 - Sealed Documents in Support of Defendants' Reply APP-1475, 1476
- Dkt. 251-4, ECF p. 3, 4
 - Sealed Documents in Support of Defendants' Reply APP-1480, 1481
- Dkt. 251-13, ECF p. 11, 12, 52, 53
 - Sealed Documents in Support of Defendants' Reply APP-1781, 1782, 1822, 1823

E. Match.com File Path Addresses

Defendants also seek to redact file path addresses from emails attached to the Parties' briefings. Defendants keep these file path addresses confidential and do not share them outside of Match.com. Saraph Decl. ¶ 30. A competitor potentially could use such file paths to access Match.com's confidential and highly proprietary information that is irrelevant and not a part of the record in this case.

Portions of the following pages need to be redacted because they contain file path addresses:

- Dkt. 199-2, ECF p. 261
 - Plaintiff's Appendix ISO of MSJ APP-0525
- Dkt. 246-2, ECF p. 7, 8, 55
 - Appendix to Plaintiff's Reply Brief ISO its MSJ APP-4912, 4913, 4960

F. Corporate Organizational Information

Lastly, Defendants seek to redact non-public information detailing the Defendants' corporate structure. Defendants treat Match.com's corporate structure as confidential and have taken measures to ensure it is not disclosed to the public. Saraph Decl. ¶ 36. Further, disclosure of Defendants' organizational structure would also reveal information related to entities not a party to this action. Courts within the Fifth Circuit have recognized the sensitivity of such information. *See Watkins v. Plum, PBC*, No. 22-551, 2023 WL 5671980, at *1 (E.D. La. Sept. 1, 2023) (allowing a party to redact "confidential information related to [its] corporate structure, finances, and innerworkings.").

Defendants request corporate structure information be redacted in the following filing:

- Dkt. 199-7, ECF p. 207, 208, 209, 211, 212, 213, 231
 - Plaintiff's Appendix ISO MSJ APP-2020, 2021, 2022, 2024, 2025, 2026, 2044

CONCLUSION

The limited proposed redactions and sealing requests proposed above are narrowly tailored to prevent disclosure of highly confidential business or personal information. For the foregoing reasons, Defendants respectfully request that the Court grant this Motion.

Dated: December 15, 2023

/s/ Angela C Zambrano

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CERTIFICATE OF CONFERENCE

Between November 27, 2023 and December 8, 2023, counsel for Defendants, Chelsea Priest, conferred via phone and email with counsel for the FTC, Reid Tepfer, regarding whether the FTC opposes the redactions requested in this Motion to Seal. The FTC confirmed that does not oppose the relief requested in this Motion.

/s/ Angela C. Zambrano
Angela C. Zambrano

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the above and forgoing document was served on all counsel of record via e-mail as outlined below on December 15, 2023.

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